

From: [Sunset Advisory Commission](#)
To: [Trisha Linebarger](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Friday, December 7, 2018 5:00:16 PM

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From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Friday, December 7, 2018 4:45 PM
To: Sunset Advisory Commission <Sunset@sunset.texas.gov>
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS STATE BOARD PLUMBING EXAMINERS

First Name: James

Last Name: Walls

Title: Regional Representative

Organization you are affiliated with: Cast Iron Soil Pipe Institute

Email:

City: GARLAND

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or
Opposed:

To: The Sunset Commission Committee
November 25, 2018

From: James A. Walls
Regional Representative
Cast Iron Soil Pipe Institute

Dear Committee:

First, I would like to thank you for your service to the Great State of Texas.

My name is James Walls Regional Representative for the Cast Iron Soil Pipe Institute. My duties for the Institute are attending plumbing related state board meetings, which pertains to the plumbing industry in Arkansas, California, Louisiana, Oklahoma, Oregon and the Great State of Texas. I also hold a Journeyman, Master and Inspectors license with the Texas State Board of Plumbing Examiners (TSBPE). In addition, I worked as a plumbing/mechanical inspector for the City of Garland, TX from 1978 to 1998, holding the Chief Plumbing/ Mechanical Inspector's position from 1988 to 1998. With my position with the City of Garland I served on the International and Uniform Plumbing code committees representing my city. I have also served as President of the Texas State Association of Plumbing Inspectors and currently serving as President of the Dallas, Fort Worth American Society of Plumbing Engineers chapter.

I am writing a letter of support for TSBPE. I highly recommend you consider allowing this great agency to continue to serve not only the plumbers, which have been serving our great state for over 70 plus years, but our citizens a

well. Without this agency there is no balance with proving health and safety without providing qualified plumbers for the citizens of our great state and I truly believe this agency is providing the services needed to assist in protecting the citizens of Texas.

Some of my concerns are as follows,

The Sunset report is a little misleading with the amount of services that Texas Department of Licensing and regulations (TDLR) provide .

- First, the services state that they have a great response time for closing complaints. I for one when I worked for the City of Garland, TX have always called and asked for assistance from TDLR but could not get a clear answer from anyone representing this agency for all the 19 years I worked for the City of Garland, TX. In addition, I travel all over the Great State of Texas and attend several product shows for building, electrical, plumbing, mechanical inspectors and trade associations, where I here from inspectors how they are disappointed with the enforcement practices of TDLR with not providing the enforcement needed and wanting us the city to enforce state requirements and not providing clear or in some cases no responses to solve their concerns. Of over 200 municipalities I visit each year, I have had more conversations with the inspectors from the different cities, about the non-existence of TDLR on enforcement for electrical and mechanical installations than I ever have had about TSBPE...

- Second, the report calls for time it takes for a “qualified” individual to obtain a license.

- How long does it take to become a Plumber in the State of Texas? The answer four thousand hours for a Tradesman-Limited plumber and eight thousand hours for a Journeyman plumber. I believe anyone who is 16 and older can apply and work alongside of a license plumber to get the hands-on experience and receive the hours needed to perform the duties as a professional license plumber by the TSPBE. Qualified and license plumbers are just as important as Doctors, Fireman and Police officers to the State and that is why we need to support TSBPE. I for one have traveled as I stated above to other states and I believe the State of Texas is ahead of all the states I referenced and the plumbing industry as a whole, with providing exams and hands-on training programs that are in place today.

- Third, the report states there is no need for hands on or practicable exams. My response to this, if you “do not” include hands on and practicable exams, then why even have any qualifications for anyone, including, Doctors Fire and, Police. License plumbers that meet the requirements by the TSBPE are the first line of defense when it becomes a life safety and Health issues to protecting the citizens of our great State.

Sanitary conditions are critical to our everyday existence with providing safe drinking water. I can live without A/C or electricity, but I cannot live without water.

- In addition, I have also served on several national trade associations which provide two days, hands on installation of different plumbing products being used on these applications. What I have witnessed in my 21 years of working with these programs, “are all the schools and professional programs want more hands-on applications due to the demand and expertise that is required within the plumbing industry. Not computer programs or written exams, “but hands on”. “The plumbing profession has always been a hands-on profession”.

- Fourth. The report stated that there is in some cases 13 months before a License plumber can renew their license. “This is misleading and incorrect. Just like on any renewable license that must be renewed annually you will have one year from your expiration date. It is kind of like renewing your driver’s license, how many people do you know that have already renewed their driver’s license or wait until the last month or in some cases minutes to renew.

- Fifth, Eliminate the requirement for job-site license checks. My response to this is in the person or person’s who wrote the report may have never had an issue with unqualified individuals who say they can fix anything. I for one are very grateful and thankful to the TSBPE for assisting with making sure my friends and family in all the areas which have been affected from flooding, hurricanes, tornadoes and even gas explosions across the state over the past years with providing license checks to assure the license plumbers, not unqualified individuals are performing their duties to the highest standards to protect the citizens with assuring there would be safe plumbing conditions for all affected.

- Sixth, on removing Drain and Restricted Drain Cleaners, I again want someone who knows what they are doing with all the high prices of construction to understand some of the basics in plumbing practices. This again comes from my experience as a license plumber and inspector by TSBPE. The drain or drain cleaners restricted are required to work for a responsible Master Plumber. This assures someone to be held accountable if by chance something goes wrong to protect the homeowner.
- Issue#1, In the report by Sunset it states, "The regulation of plumbing continues to be critical by all involved." Yes, I do agree, but in what compacity and what cost to the protection of the citizens of Texas.

My response to this, TSBPE and has been and will continue to serve the citizens of Texas. This again will not t be a savings for the citizens of Texas but will increase the cost for every homeowner and building owner across Texas. I don't believe by moving this agency to TDLR and removing 31 dedicated employees of TSBPE will serve any citizen in the state of Texas.

- Issue#2, In the report is states unnecessary burdens on plumbers, this can be accomplished by allowing the plumbers to take the written portion of the exam in the city they reside in and this would be beneficial to the men and women who want to get into this profession.
If they pass the exam, then they can go to Austin and take the hands-on portion to complete the license process.
Do not remove drain cleaner, restricted drain cleaner and residential utility installer from the Registrations.
As of the responsible Master Plumber if you want to call it plumbing contractor without the 24 hour class, but still require the Plumbing Contractor to be held responsible for apprentices, drain cleaner, restricted drain cleaner and residential utility installer and license plumbers which work for the company they own, operate, or work for. Keep the registrations, But the requirements still need to be in place.
- Issue# 3, On inefficient enforcement process. I believe with all the board meetings, I have attended, this has been addressed by the Plumbing Board and the Attorney General's office, which also attends each meeting. I believe TSBPE has already stated preforming some of the four items listed.

Additional comments;

First, I have attended over 20 plus TSPBE board meetings and have attended Plumbing Board meetings in Arkansas, California, Louisiana, Oklahoma and Oregon and I for one, would not trade any of these state boards over TSBPE. Over the past several years I have attended TSBPE board meetings and the agency has already started addressing the items in the report.

If you have an agency which brings in over 5.2 million a year and only spends 2.6 million for operations, then may I suggest you give them the proper tools and funding to do the job they are in my opinion set out to do for the citizens of our Great State. The question you must ask yourself and remember it could be one of your family members you didn't protect by allowing an oversized agency like "TDLR" to issue a license to unqualified individuals with the task of protecting the citizens of our great state.

The above states I referenced and visit on regular bases have always asked me about how I get a plumbing license with TSBPE. When I explain what the requirements are for getting this professional plumbing license from TSBPE, their statement is they would wish their state would do the same as Texas and TSBPE with the requirements with hands-on exams. I believe this is providing the best protection for our citizens by maintaining the TSBPE as the agency it was set up to be and provided the citizens with an agency they can trust.
I for one am proud to say I hold a Master. Journeyman and Inspectors license with TSBPE.

In addition, it was a great experience when I took my first exam in 1978 and then I went back in 2012 and got my Medical Gas and Water Protection specialist endorsements. Again, this was a great experience and yes, I did have to

take the exams on different days, but as my late father always stated and by the way he was a Master Plumber licensed by TSBPE as well, nothing is more important than being tested to be the best at what you do.

Thank you again for your time and service to the Great State of Texas and please keep the TSBPE a stand-alone agency.

Sincerely,

James A. Walls
Regional Representative
Cast Iron Soil Pipe Institute

Any Alternative or New Recommendations on This Agency:

Yes, I submitted this letter on November 26, 2018. I have not seen any information posted on the public comments. Please add my comments to the support of the Texas State Board of Plumbing Examiners.

Thank You

My Comment Will Be Made Public: I agree